

REQUEST FOR RECONSIDERATION
May 23, 2006

YOR920030358US1
Serial No. 10/720,464

REMARKS

Claims 1 – 31 remain in the application. Claims 1 – 9 are rejected. Claims 10 – 31 are allowed. The rejection is respectfully traversed.

Claims 1, 2 and 4 – 9 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,944,843 to Bansal. Claim 3 is rejected under 35 U.S.C. §103(a) over Bansal in further combination with U.S. Patent No. 6,990,645 to Lichtensteiger. The rejection is respectfully traversed.

Regarding the rejection of claim 3 over Bansal and Lichtensteiger, Lichtensteiger is also being applied under 35 U.S.C. §103(a) through §102(e). The applicants note that Lichtensteiger, which was filed less than 7 months prior to the present application, was and is assigned to the assignee of the present invention. 35 U.S.C. §103(e)(1) provides in pertinent part that

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Therefore, since Lichtensteiger and the present invention are “subject to an obligation of assignment to the same person,” Lichtensteiger is not available as a reference under 35 U.S.C. §103(a). Accordingly, claim 3 is patentable over all references of record. Reconsideration and withdrawal of the rejection of claim 3 under 35 U.S.C. §103(a) is respectfully requested.

Regarding the rejection of claims 1, 2 and 4 – 9 over Bansal, the applicants note that Bansal was filed less than 4 months prior to the present application. Accordingly, the applicants can, if necessary, show a date of invention prior to Bansal. However, such a showing is believed unnecessary for reasons set forth below.

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As the office action noted, Bansal teaches that the “core area of a cell-based ASIC chip includes rows and columns of core cells” at col. 2, lines 65 – 66. However, “circuits for each logic function are placed using a block of core cells. The block of core cell has a defined boundary shape at a non-fabrication level around the core cell. One logic block area can be different than another logic block area. All circuits within a logic block use only one of the power supply voltages, which is distributed at metal level M1 bus within the block boundary only.” Col. 3, lines 2 – 7. So, while the core cells are arranged in rows and columns, a logic function comprising a block of core cells “has a defined boundary shape” and, “all circuits within a logic block use only one of the power supply voltages,” that is distributed “within the block boundary only.” There is nothing in this to require or suggest that three blocks of core cells are in a common row in accordance with the recitations of claim 1. Accordingly, Bansal fails to teach or suggest “at least one row ... including three or more voltage islands.” Therefore, Bansal fails to teach or suggest the present invention as recited in claim 1 or any claim depending therefrom, and the present invention as recited in claims 1, 2 and 4 – 9 is patentable over Bansal.

Reconsideration and withdrawal of the rejection of claims 1, 2 and 4 – 9 under 35 U.S.C. §102(e) is respectfully requested.

The applicants have reviewed the other references cited, but not relied upon in this rejection, and find them to be no more relevant than the reference upon which the rejection is based.

The applicants thank the Examiner for efforts, both past and present, in examining the application. Believing the application to be in condition for allowance for the reasons set forth above, the applicants respectfully request that the Examiner reconsider the rejection of claims 1 – 10 under 35 U.S.C. §§102(e) and 103(a) and allow the application to issue.

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Should the Examiner believe anything further may be required, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below for a telephonic or personal interview to discuss any other changes.

Please charge any deficiencies in fees and credit any overpayment of fees to IBM Corporation Deposit Account No. 50-0510 and advise us accordingly.

Respectfully Submitted,



Charles W. Peterson, Jr.
Registration No. 34,406

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(Date)

Customer No. 33233
Law Office of Charles W. Peterson, Jr.
11703 Bowman Green Dr, Suite 100
Reston, VA 20190
Telephone: (703) 481-0532
Facsimile: (703) 481-0585